



CALIFORNIA DEPT. OF CORRECTIONS &
REHABILITATION
Office of Civil Rights
Mission Statement

The Office of Civil Rights (OCR) serves all employees of the Department of Corrections and Rehabilitation by ensuring effective processes for the filing, investigation and resolution of complaints, developing policy, providing technical assistance and training to all CDCR staff.

The mission of the OCR is to create and maintain a working environment free of discrimination for all California Department of Corrections and Rehabilitation employees applicants, and contractors.

Rita Mollica
Assistant Secretary
Office of Civil Rights

Discrimination Complaint Hotline
1-800-272-1408

California Department of
Corrections and Rehabilitation
Office of Civil Rights
Post Office Box 942883
Sacramento, CA 94283-0001

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State of California
Department of Corrections and Rehabilitation
Office of Civil Rights
P.O. Box 942883
Sacramento, CA 94283-0001

California Department of Corrections & Rehabilitation Office of Civil Rights

Discrimination is Against the Law

The Office of Civil Rights investigates state and federal laws that prohibit harassment and discrimination in employment. It also investigates complaints alleging violations of the *Ralph Civil Rights Act* which prohibits hate violence or threats of hate violence.

Discrimination in Employment

Harassment, discrimination, & retaliation in employment is prohibited because of:

- ✓ Race
- ✓ Ancestry
- ✓ National Origin
- ✓ Color
- ✓ Sex (including gender orientation)
- ✓ Sexual Orientation
- ✓ Religion
- ✓ Disability (including HIV/AIDS diagnosis)
- ✓ Marital Status
- ✓ Age (40 and over)
- ✓ Medical Condition
- ✓ Genetic Characteristics
- ✓ Refusal of Family Care Leave
- ✓ Refusal of Leave for an Employee's serious Health Condition
- ✓ Denial of Pregnancy Disability Leave
- ✓ Military Service
- ✓ Retaliation

Discrimination is prohibited in all employment practices including:

- ✓ Advertisements
- ✓ Applications and interviews
- ✓ Hiring, transferring, promoting or leaving a job
- ✓ Working conditions

Department employees have the right to:

- ✓ Leave time if disabled by pregnancy
- ✓ Reasonable accommodation for pregnancy
- ✓ Leave for the birth or adoption of a child, for an employee's serious health condition or to care for a parent, spouse or child with a serious health condition
- ✓ Protection from harassment because of their sex, race or any other category covered under state or federal law (refer to above list)
- ✓ Protection from retaliation for filing a complaint with the Department or outside agency, or for protesting possible violations of the state or federal law

Department employees with disabilities are also entitled to reasonable accommodation when necessary in order to perform their job.

Hate Violence

It is against the law for any person to threaten or commit acts of violence against a person or property based on race, color, religion, ancestry, national origin, age, disability, sex (including gender orientation), sexual orientation, political affiliation or position in a labor dispute.

Office of Civil Rights

The Responsibilities of the Office of Civil Rights include:

- 1) Investigating discrimination, harassment, and retaliation complaints.
- 2) Assisting involved parties in resolving their complaint
- 3) Educating employees about the laws prohibiting harassment and discrimination

Any employee who believes he/she is a victim of illegal discrimination can file a complaint with the local Equal Employment Opportunity Coordinator or the Office of Civil Rights. A person wishing to file a complaint should:

- ✓ Be prepared to present specific facts about the alleged harassment discrimination, retaliation or denial of leave
- ✓ Provide copies of documents, if available, that substantiate the charges in the complaint, and Identify witnesses, if available, that substantiate the charges in the complaint

Staff from the Office of Civil Rights conduct impartial investigations. The Office of Civil Rights is not an advocate for either the person complaining or the person being complained against.

The Office of Civil Rights also educates its employees regarding their rights and responsibilities under the law by providing training and written materials.

All CDCR employees are assured the following rights related to complaints of discrimination:

- The right to file a discrimination complaint, freedom from influence to refrain from filing a complaint, and freedom from reprisal for filing a complaint
- The right to a reasonable amount of work time to file a discrimination complaint.
- The right to be assisted by a representative of their own choosing at all steps of the process
- The right to keep their complaint confidential to the extent legally allowed.
- The right to a full, impartial and prompt investigation by a trained discrimination complaint investigator
- The right to file complaints concurrently with the Equal Employment Opportunity Commission, the Department of Fair Employment and Housing, other state or federal compliance agencies or to file a civil action in the appropriate court
- The right to appeal the Department's decision to the State Personnel Board (SPB). Appeals must be filed within 30 days

The right to appeal to the SPB if the employee has not received a response from the Department within 180 days from the date they filed their complaint